

### **REMARKS**

Claims 1-24 are pending in the above-identified application. Claims 1-24 were rejected. With this Amendment After Final, no claims are added or canceled, and claims 1, 6, 11, and 16 are amended to include a limitation from claims 3, 8, 13, and 18, respectively. Claims 3, 8, 13, 18, and 21-24 are amended for conformity. Applicants note that the amendment does not require further search. Applicants further note that, as explained below, the rejection of claims 4, 9, 14, 19, and 21-24 is defective on its face. Claims 1-24 remain at issue.

#### **I. 35 U.S.C. § 103 Obviousness Rejection of Claims**

In the Office Action dated March 8, 2005, the Examiner stated that claims 1-24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Bunnell* (U.S. Patent No. 6,119,122) in view of *Velonis et al.* (U.S. Patent No. 6,772,408, hereinafter “*Velonis*”), and further in view of *Howland et al.* (U.S. Patent No. 6,018,741, hereinafter “*Howland*”). Applicants respectfully traverse this rejection.

*Bunnell*, *Velonis*, and *Howland*, alone or in combination, fail to teach or suggest every limitation of claim 1, which recites, *inter alia*, “modifying one or more state attributes associated with said nodes to control merging and updating of layers to a resulting layered hierarchical database in response to said client request, wherein the one or more state attributes indicates a last action taken on a corresponding data element.” Claims 6, 11, and 16 recite similar limitations.

*Howland* fails to teach a “state attribute,” contrary to the Examiner’s allegation. *Howland* merely discloses that updated attribute values are inherited. See col. 3, lines 24-34 of *Howland*. *Howland* never discloses what an attribute is within the context of the specification.

For example, *Howland* discloses that the attributes have numerical values 1, 2, 3 and 4. (See Figs. 1A and 1B and their associated description). In the present claims, a state attribute indicates the last action taken on a data element. However, a numerical value, such as “2,” clearly fails to indicate a last action taken on a data element. Accordingly, the attributes of *Howland* are not state attributes as recited by the present claims. Applicants respectfully submit that claim 1 is patentable over the combination *Bunnell*, *Velonis*, and *Howland* for at least this reason.

Furthermore, *Howland* fails to teach modifying attributes “to control merging and updating of layers,” contrary to the allegations of the Examiner. *Howland* discloses that inherited attributes are updated in the children as in the parent. However, *Howland* does not disclose that modifying attributes controls the merging and updating of attributes. That does not make sense, as the attributes are the values that are being updated.

Moreover, the cited references fail to teach or suggest “managing said nodes using said state attributes, wherein each one of said state attributes comprises an eXtensible Markup Language (XML) format attribute” (page 20, lines 13-16 of the patent application teach that attributes are in XML format). The HTML as disclosed in *Bunnell* relates to display, not state attributes. The only mention of HTML by *Bunnell* refers to a user interface 70 presented as an applet within an HTML document and displayed with an HTML browser, at col. 10, lines 46-55. The HTML document and HTML browser are used for display (See Fig. 5; col. 10, lines 48-49). Nowhere in *Bunnell* does it state that the “attributes” as cited by the Examiner in rejecting the claims are HTML attributes. As such, the Examiner’s stated motivation to “extend and eventually supersede HTML” combined with *Bunnell* would not teach or suggest “state attributes

compris[ing] an eXtensible Markup Language (XML) format attribute.” The combination of *Bunnell* and *Velonis*, using the Examiner’s reasoning, would only teach or suggest a user interface that is displayed using XML rather than HTML, and that is clearly not what Applicants are claiming.

Moreover, *Velonis* does not teach or suggest what the Examiner is asserting. The cited portion of *Velonis* merely states:

In addition, the source software component 220 may be rendered as XML and the user event 312 may comprise an XML Linking Language (Xlink) link to the second SP 215. The first SP 210 and the second SP 215 may comprise JAVA Server Pages, JAVA servlets, other Hypertext transfer Protocol (HTTP) server plugins, Common Gateway Interface (CGI) programs, or the like. The user events 312 may be implemented as JAVA Bean events.

Nowhere in that passage does *Velonis* disclose a state attribute that comprises an XML format attribute, or even an XML format attribute of any kind. An “Xlink” cannot be construed as an XML format attribute.

Thus, Applicants respectfully submit that the features recited by claim 1 are neither suggested nor disclosed by either *Bunnell*, *Velonis*, or *Howland* individually, nor by any reasonable combination thereof. Therefore, *prima facie* obviousness has not been established, and Applicants respectfully request that the rejection of claim 1 be withdrawn. With respect to claims 2-5, these claims depend from claim 1, and are therefore patentable at least for the same reasons.

For reasons stated above with respect to claim 1, Applicants submit that the rejection of independent claims 6, 11 and 16 should be withdrawn. With respect to claims 7-10, 12-15, 17-

20, and 21-24, these claims depend from claims 6, 11, and 16 respectively, and are therefore patentable at least for the same reasons.

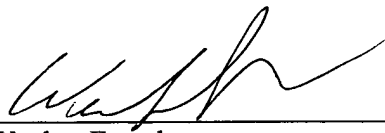
Moreover, the cited references fail to teach or suggest that a layered hierarchically organized database includes an organizational format corresponding to an organizational layout of an enterprise, as recited in claims 21-24. In rejecting these claims 4, 9, 14, 19, and 21-24, the Examiner cites *Morganstern* for support. However, the present rejection has not been made on the basis of *Morganstern*. In this respect, the rejection is defective and must be withdrawn. Furthermore, with respect to claims 21-24, the Examiner does not attempt to point out where or how the references teach or suggest the above limitation. "When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified." 37 C.F.R. § 1.104(c). Thus, the rejection is erroneous and should be withdrawn.

**II. Conclusion**

In view of the above amendments and remarks, Applicants submits that all claims are allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

Dated: April 7, 2006

By:   
A. Wesley Ferrebee  
Registration No. 51,312

Customer Number: 58328  
SONNENSCHN NATH & ROSENTHAL LLP  
P.O. Box 061080  
Wacker Drive Station, Sears Tower  
Chicago, Illinois 60606-1080  
Phone: (202) 408-9214  
Fax: (312) 876-7457